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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER TRIEU, VAN THANH	
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary**Application No.**

10/585,251

Applicant(s)

BADOCHÉ JACQUET ET AL.

Examiner

Van T. Trieu

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
- Paper No(s)/Mail Date 10/2/06
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Specification

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

1. The disclosure is objected to because of the following informalities: the Specification filed on 21 September 2007 is missing of section headings (b), (f), (g), (h) and (i).

Appropriate correction is required.

Claim Objections

2. Claims 9 and 10 are objected to because of the following informalities:

Claim 9, line 6, the phrase "the said".

Claim 10, line 2, the phrase "a data block" should be --- the data block ---.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 2 recites the limitation "the pilot" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-6, 9-13 and 15-28 are rejected under 35 U.S.C. 102(b) as being anticipated by **Schwoegler** [US 6,590,529].

Regarding claim 1, the claimed a telematic display device comprising:

telecommunication means capable of interacting with a data exchange network (the

cellular telephone 10 or 56, see Figs. 1-3, 15 and 17, col. 5, lines 35-43); and a user interface capable of interacting with the telecommunication means in order to display information drawn and data received (the alphanumeric dials, buttons 13 and screen 12 of cellular telephone 10 or 56, see Figs. 1-3, col. 4, lines 57-67 and col. 7, lines 4-12), wherein the telecommunication means are configured to receive meteorological data, from which is drawn a display on the user interface, wherein the telecommunication means are configured to interact spontaneously with a station in order on the one hand to define a geographical area, and on the other hand to access substantially regularly a data set comprising rainfall forecast/duration pairs which are valid in the geographical area for consecutive periods, the data set being dated by a time mark generator (the cellular telephone 10, 56 continuously requests and updates of forecast weather information data including geographic location and time periods, see Figs. 1-4 and 6, col. 2, lines 27-50, col. 6, lines 22-54, col. 7, lines 60-67 and col. 8, lines 1-4); and the user interface has a field of ordered display segments each capable of being displayed in plural states, and the device further comprising a pilot capable of reacting to the receiving a data set by updating the state of at least some of the display segments, selectively according to the rainfall forecast/duration pairs which data received contain and according to a relation between the time mark generator of the data set and a temporal reference of the segments (the screen 12 displays plurality states of forecast, current and updated weather information data including rainfalls states in each sectors as a function of time and icons 700, 702, 704 and 706, see Figs. 1-4, 6 and 11-14, col. 2,

lines 40-50, col. 6, lines 22-66, col. 7, lines 40-67, col. 8, lines 1-4 and col. 9, lines 20-34).

Regarding claim 2, wherein the pilot processes the segments relative to a segment of origin which indicates the temporal reference, modulo a selected periodicity, and wherein upon receiving a data set, the updates at least a display segment corresponding to new data (the prediction processor 68, see Fig. 3, col. 6, lines 66).

Regarding claim 3, wherein the segment preceding that of a current forecast is subject to a distinctive display (see Figs. 1, 2, 4 and 6).

Regarding claim 4, wherein the user interface also comprises a display element of a time, and in-that the pilot is further configured to update the display element according to the time mark generator (see Figs. 1, 2, 4 and 6)

Regarding claim 5, wherein the user interface comprises a cursor capable of designating one of the segments (the menu icon, see Figs. 1, 2 and 11-14).

Regarding claim 6, wherein the user interface further comprises a dial for the analogue display of the present time, wherein the ordered field of display segments is the counterpart of the dial (the dial of cellular telephone 10 or 56, see Figs. 1 and 2).

Regarding claim 9, wherein a data set received comprises a sequence of data blocks or symbols relating to short consecutive periods of rainfall forecast, the time mark generator relating to one of the blocks and upon each reception, the user interface pilot is configured to make a state of the segments correspond to respective contents of at least some of the data blocks (the received icons and sectors of weather information data are selected to display on the screen 12, see Figs. 1-4, 6 and 11-14).

Regarding claim 10, wherein a short period associated with a data block is about 1 minute (which reads upon the created weather forecast information at different time intervals from 15, 30, 60, 120 and 180 minutes, see Figs. 4 and 6, col. 6, lines 22-26, col. 14, lines 15-21).

Regarding claim 11, wherein the sequence of data blocks of one set relates to an overall duration at least equal to about three hours (the different time intervals in 3 hours forecast, see Fig. 6).

Regarding claim 12, wherein an overall duration is about 3 hour (see Fig. 6).

Regarding claim 13, wherein the field of segments extends in a substantially linear form (see Figs. 1 and 2).

Regarding claim 15, wherein the telecommunication means interact with a station in a manner capable of effecting at least partly the definition of the geographical area (the telecommunication between the cellular telephone 10, PDA 56 and wireless protocol servers 906 and wireless service providers 802, 806, 910, see (Figs. 1-3, 15 and 18).

Regarding claim 16, wherein a definition of the geographical area is effected at least partly by data transmitted by the telecommunication means (the geographic locations or sectors, see Figs. 3, 5, 9 and 10, col. 2, lines 41-46 and col. 9, lines 29-34).

Regarding claim 17, wherein the telecommunication means interact with the network according to a period longer than 1 minute (see Figs. 4, 6 and 18).

Regarding claim 18, wherein the period is about 5 minutes (see Figs. 4 and 6).

Regarding claim 19, wherein the rainfall forecasts represent the following rainfall states: absence of rain, fine or light rain, heavy or intense rain (see Figs. 1 and 4).

Regarding claim 20, wherein an absence of rain is displayed on the user interface by a continuous light colour, the fine or light rain by lines, and the heavy or intense rain by a continuous dark coloration (which reads upon the high-resolution color screens or icons on PDA's enhancement display of such weather information for the user to indicate of

light rain, heavy rain, clear or cloudy, see Figs. 1, 4 and 11-14, col. 9, lines 20-28 and col. 11, lines 4-8).

Regarding claim 21, wherein the geographical area has a dimension substantially equal to 1 km² (which reads upon the geographical area within ¼ mile, see col. 6, lines 1-6 and 9, lines 29-34).

Regarding claim 22, all the method claimed limitations are met by the apparatus claim 1 above.

Regarding claim 23, all the method claimed limitations are met by the apparatus claims 17 and 22 above.

Regarding claim 24, all the method claimed limitations are met by the apparatus claims 18 and 23 above.

Regarding claim 25, all the method claimed limitations are met by the apparatus claims 3 and 22 above.

Regarding claim 26, all the method claimed limitations are met by the apparatus claims 4 and 22 above.

Regarding claim 27, all the method claimed limitations are met by the apparatus claims 7 and 22 above.

Regarding claim 28, all the method claimed limitations are met by the apparatus claims 9 and 22 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Schwoegler** [US 6,590,529].

Regarding claim 7, **Schwoegler** fails to disclose the cursor has a minute hand actuated according to the time mark generator. However, **Schwoegler** discloses all weather prediction products and lightning data would be monitored for the next hour for each user's request or select through the cellular telephone 10 or 56, which includes alphanumeric dials, buttons and menu icon, see Figs. 1-4, 6 and 11-14, col. 4, lines 5-7, col. 7, lines 35-39). Therefore, it would have been obvious to one skill in the art to recognize that the cellular telephone allows user to use menu icon to select of a particular time in minute or hour to receive the forecast weather information data to be displayed on the screen along with time as shown in Figs. 1, 2, 4 and 6.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Schwoegler** [US 6,590,529] in view of **Currans et al** [US 6,727,930]

Regarding claim 8, **Schwoegler** fails to disclose a memory for storing at least some of the data received. However, **Schwoegler** discloses the cellular telephone 10, PDA or electronic device 56 is capable of displaying weather forecast information data upon requested by a user (see Figs. 1-3, 7-10, 15 and 18, col. 2, lines 35-50 and col. 5, lines 35-43). **Currans et al** discloses a PDA display icons on a screen 102 used as a shorthand method such as an icon of a telephone might invoke the storage or retrieval of telephone number. The PDA memory 210 can hold broadcast information for displaying on the PDA screen 102 (see Fig. 1, col. 1, lines 66-67, col. 2, lines 1-11, 57-61, col. 4, lines 3-5, col. 5, lines 1-17, col. 7, lines 6—67 and col. 8, lines 1-13). Therefore, it would have been obvious to one skill in the art at the time the invention

was made to implement the PDA memory of **Currans et al** to the PDA or cellular telephone of **Schwoegler** for storing of received weather forecast information data and to selectively retrieved those information data to be displayed on the screen as desire by a user at any time, since the PDA and cellular are built with memory for storing of ID, number, personal and broadcasted information data.

7. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Schwoegler [US 6,590,529] in view of **Jessop** [US 6,924,792]

Regarding claim 14, **Schwoegler** fails to disclose the field of segments extends in a substantially circular form. However, **Schwoegler** fails to disclose the cellular telephone 10 displaying of weather forecast information in a linear sectors/segments in the screen 12 (see Fig. 1). **Jessop** discloses a cellular telephone with a display means the message/change displayed according to any variable time of day, weather conditions, amount of traffic, etc., are arranged in a circle form with different colors (see Figs. 8, 12, 13 and 17b, col. 2, lines 48-51, col. 6, lines 28-37, col. 21, lines 23-27 and col. 32, lines 13-22). Therefore, it would have been obvious to one skill in the art at the time the invention was made to substitute the circular display format f **Jessop** for the linear display format of **Schwoegler** for easily adapted to use on different handheld electronic devices such as PDA, hand watch, jewelries, bracelets and/or wristband devices, since the advantages of very small electronic circuits and communication circuits have been used on those small electronic devices without any physically and functional constraints.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Smith discloses a system and method for receiving weather forecast information in a mobile unit such as cellular telephone and to display of its location and weather information on a display. [US 6,845,324]

Koeller discloses a portable weather indicating device including a house with a display for displaying of geographic location and weather information. [US 6,297,766]

Takenaga discloses a portable communication device to communicate with a server for displaying of forecast weather information and area map information. [US 7,167,906]

Lamb et al discloses a portable weather display device including a communications interface, a cellular antenna and display functions of the weather information coming into and stored on the portable weather display device. [US 6,181,324]

9. Any inquiry concerning this communication or earlier communications from examiner should be directed to primary examiner **Van Trieu** whose telephone number is (571) 272-2972. The examiner can normally be reached on Mon-Fri from 8:00 AM to 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mr. Michael Razavi** can be reached on (571) 272-7664.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Van T. Trieu/

Primary Examiner, Art Unit 2612

Date: 08/27/2009